

**PUBLIC NOTICE  
DUKES COUNTY RETIREMENT BOARD**

**REQUEST FOR PROPOSALS TO PROVIDE SELECT LEGAL SERVICES  
Submission Date – March 29, 2019**

The Dukes County Retirement Board (hereinafter, “ the Board”) is seeking an attorney or law firm with experience representing Massachusetts public agencies in matters pertaining to public employment law, the Massachusetts Public Records Law and the Massachusetts Open Meeting Law. This request for proposals is subject to and will be conducted in compliance with [G.L. c. 32, § 23B](#).

The Board oversees the Dukes County Retirement System (hereinafter, “the System”), a Massachusetts governmental unit which administers the public pensions of over 1,275 members and beneficiaries of 15 municipal units. The Board manages approximately \$153,144,455 in System assets and employs a staff of 2 full-time employees in an office located at 9 Airport Road, Edgartown, Massachusetts.

To be considered for selection, the attorney or law firm should possess knowledge and proficiency with, among others, General Laws Chapter 32, §§ 1-105, Chapter 30A, §§ 18-25, Chapter 66, Chapter 66A, Chapter 258, and with laws pertaining to public employment.

Attorneys/law firms must submit a proposal to be considered. A copy of the RFP is below. You may also obtain a copy of the RFP from Kelly McCracken, Executive Director, Dukes County Retirement System, at [kelly@dukesretirement.com](mailto:kelly@dukesretirement.com). No phone calls please.

The Request for Proposals will be available until the submission deadline. The proposal deadline is May 3, 2019 at 4:00 p.m. (E.S.T.)

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Proposals may contain any information deemed responsive and relevant, and should address actual or potential conflicts of interest with the Dukes County Retirement Board or its members. At a minimum, the RFP must include the following information:

- A summary of related legal experience, including a list of Massachusetts retirement board or system clients, if any, and the time period during which services were rendered.
- The name and legal background of the attorney(s) who will be primarily responsible for providing the related legal services.
- A list of hourly fees
- A list of charges, if any, for telephone calls, file review, copying, messenger service, etc.
- A list of items for which the firm will expect reimbursement including, but not limited to, travel related costs
- A description of the attorney or firm’s billing procedures, i.e., monthly, bi-monthly, etc

Further, pursuant to G.L. c. 32, § 23B(k)(3):

A person submitting a proposal for the procurement or disposal of services to a retirement board shall certify in writing on the proposal as follows:

The undersigned certifies under penalties of perjury that this proposal has been made and submitted in good faith and without collusion or fraud with any other person.

As used in this certification, the word "person" shall mean a natural person, business, partnership, corporation, union, committee, club or other organization, entity or group of individuals.

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(Signature of individual submitting bid or proposal)

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(Name of business)

**Criteria to be evaluated by the Board shall include: (1) Experience and Qualifications, (2) Resources and Staffing, and (3) Fee Structure.** Proposals will be rated by the Board as being highly advantageous, advantageous, not advantageous, or unacceptable based on the criteria evaluation. The Board will designate its choice following review and rating of responses, and may conduct interviews. Upon selection of an attorney or law firm, the Board will negotiate a contract for legal services which cannot exceed a term of 7 years.

The Board reserves the right to reject proposals or parts thereof. Each proposal shall be considered in effect for a period of sixty (60) days following the submission date. The Board also reserves the right to waive any irregularities, inconsistencies, and bidding provisions, or to take whatever other action that deemed to be in the best interests of the System's members and beneficiaries.

**Time for Submission:** An original proposal and five copies should be delivered in a sealed package or envelope to the Dukes County Retirement Board, 9 Airport Road, Suite 1, Vineyard Haven, Massachusetts, 02568 on or before 4:00 p.m., May 3, 2019. The proposal should be marked "Legal Services RFP". Responses received after 4:00 p.m., May 3, 2019, will not be evaluated. No electronic responses may be submitted in response to this request for proposals.

**Time for Acceptance:** Proposals will be opened at 1:00 p.m. on May 8, 2019. The Board intends to evaluate responses and to select an attorney or law firm at its meeting of May 23, 2019. The Board shall award the contract to the most advantageous proposal from a responsible and responsive offeror taking into consideration fees, the evaluated criteria set forth in the request for proposals, and the terms of the negotiated contract, at its meeting of May 23, 2019.

Technical questions regarding the submission of responses should be directed to:

Kelly McCracken, Executive Director, via e-mail only at: [kelly@dukesretirement.com](mailto:kelly@dukesretirement.com).

**All overnight mail submissions should be mailed to: Kelly McCracken, Dukes County Retirement System, 9 Airport Road, Suite 1, Edgartown, Massachusetts, 02539**

Thank you for your consideration of this request for proposals.

DUKES COUNTY RETIREMENT BOARD